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 BATES SUMMIT MEDICAL CENTER

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

CALIFORNIA NURSES ASSOCIATION,

Plaintiff,

v.

SUTTER EAST BAY HOSPITALS d/b/a
 ALTA BATES SUMMIT MEDICAL
 CENTER,

Defendant.

Case No. 3:14-CV-00889-RS

**STIPULATED REQUEST TO STAY
 PROCEEDINGS AND TAKE HEARING
 ON ORDER TO SHOW CAUSE RE
 PRELIMINARY INJUNCTION OFF
 CALENDAR; ~~PROPOSED~~ ORDER**

Date: March 12, 2014
 Time: 2:30 p.m.
 Judge: Hon. Richard Seeborg
 Courtroom: 3, 17th Floor

STIP RE STAY OF PROCEEDINGS, OSC RE
 PRELIMINARY INJUNCTION

Case No. 3:14-CV-00889-RS

1 For the reasons that follow, and based upon the agreement and stipulation
 2 memorialized below, the Parties hereby jointly request that this Court issue an order: (1) staying all
 3 proceedings in the above-captioned matter; and (2) taking the above-referenced hearing off calendar.

4 **A. Expedited Arbitration.**

5 Plaintiff California Nurses Association ("Union") and Defendant Alta Bates Summit
 6 Medical Center ("Employer") have agreed to arbitrate the Union's January 17, 2014, grievance
 7 ("Grievance") on an expedited basis before Arbitrator John Kagel. The arbitration hearing shall
 8 commence within 30 days. The details of the expedited arbitration have been expressly agreed upon
 9 by the Parties via a separate written agreement.

10 **B. Withdrawal Of NLRB Charge**

11 The Union will withdraw the Section 10(j) injunctive relief request from NLRB
 12 Charge No. 32-CA-121304. The Union will withdraw and request dismissal of the Charge, without
 13 prejudice, in light of the Parties' agreement to arbitrate, on a non-precedential basis, the same claims
 14 on the merits.

15 **C. Status Quo**

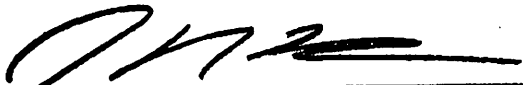
16 The Employer will not take any action to implement the "housewide rebid" process
 17 that was scheduled to take effect on March 2, 2014, pending issuance of the award of the parties'
 18 selected arbitrator resolving the Union's grievance dated January 17, 2014.

19 **D. No Preliminary Injunction / No Posting Of Bond**


20 The Union agrees to withdraw, without prejudice, its request for injunctive relief in
 21 the above-captioned matter. In the absence of any request for injunctive relief, the Employer agrees
 22 that no bond is necessary pursuant to Federal Rule of Civil Procedure 65(c).
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2 **SO STIPULATED.**

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4 Dated: March 5, 2014

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7 JOSHUA D. KIENITZ
8 LITTLER MENDELSON, P.C.
Attorneys for Defendant SUTTER EAST BAY
HOSPITALS D/B/A ALTA BATES SUMMIT
MEDICAL CENTER

9 Dated: March 5, 2014

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12 PAMELA ALLEN
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1 **II. ~~[PROPOSED]~~ ORDER**

2 Based on the Parties' agreement and stipulation, and good cause appearing therefor,
 3 this Court hereby orders that the hearing scheduled for March 12, 2014, at 2:30 p.m. (*see* Document
 4 18 ["TRO / OSC Order"]), shall be taken off calendar, no preliminary injunction shall issue, and the
 5 Parties shall not be required to submit the supplemental briefing discussed in the TRO / OSC Order.

6 In light of the Parties' foregoing agreement and stipulation, the Court further orders
 7 that all proceedings in the above-captioned actions shall be stayed indefinitely and in their entirety.
 8 The Parties are ordered to submit a Joint Status Report no later than April 30, 2014, confirming that
 9 the expedited arbitration has occurred within the timeframe described above. Defendant's
 10 responsive pleading shall be due, if at all, no later than 20 days after this stay of proceedings is lifted.

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 12 **SO ORDERED.**

13 Dated: 3/5/14

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 16 HONORABLE RICHARD SEEBORG
 17 UNITED STATES DISTRICT JUDGE
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